

**COMMONWEALTH OF KENTUCKY
BEFORE THE KENTUCKY STATE BOARD
ON ELECTRIC GENERATION AND TRANSMISSION SITING**

In the Matter of:)
)
Application of Russellville Solar LLC for Certificate of)
Construction for: an approximately 173-Megawatt) **Case No. 2021-00235**
Merchant Electric Solar Generating Facility in Logan)
County, Kentucky pursuant to KRS 278.700, et seq.,)
and 807 KAR 5:110)

PETITION FOR CONFIDENTIAL TREATMENT

Russellville Solar LLC (“Russellville Solar”), by counsel and pursuant to 807 KAR 5:110, Section 5, respectfully requests the Kentucky State Board on Electric Generation and Transmission Siting (“Siting Board”) to grant confidential protection to the Preliminary Draft Environmental Assessment that Russellville Solar is submitting with its Application.

Administrative Regulation 807 KAR 5:110, Section 5 sets forth the procedure by which certain information filed with the Siting Board shall be treated as confidential. Specifically, the party seeking confidential treatment must establish “each basis upon which the petitioner believes the material should be classified as confidential” under the Kentucky Open Records Act. 807 KAR 5:110, Section 5(2)(a)(1).

KRS 61.878(1)(i) exempts from disclosures, “Preliminary drafts, notes, correspondence with private individuals, other than correspondence which is intended to give notice of final action of a public agency.” In support of its Application, Russellville Solar is submitting a Preliminary Draft Environmental Assessment as Exhibit F to the Site Assessment Report. This report is not

public and is not anticipated to become public until April 4, 2022, when TVA will release it to the public for public comments.

The Preliminary Draft Environmental Assessment is, by its very nature, a preliminary draft and offers preliminary recommendations. It, therefore, is exempt from disclosure under the Open Records Act and appropriate for confidential treatment. Accordingly, Russellville Solar respectfully requests confidential treatment of the Preliminary Draft Environmental Assessment until April 4, 2022.

Respectfully submitted,



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